

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
1:20 CV 53 MR WCM

UNITED STATES OF AMERICA, )

Plaintiff, )

v. )

ORDER

APPROXIMATELY \$9,393.00 IN U.S. )  
CURRENCY seized from Blade Frierson )  
on September 26, 2019 in Buncombe )  
County, North Carolina; )

APPROXIMATELY \$24,484.00 IN U.S. )  
CURRENCY seized from Blade Frierson )  
on September 26, 2019 in Buncombe )  
County, North Carolina; and )

ONE 2019 TOYOTA TUNDRA )  
CREWMAX TRUCK, )  
VIN 5TFHY5F16KX809215 )

Defendants, )

BLADE CHRISTIAN FRIERSON, )

Claimant. )

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This matter is before the Court upon a Motion to Extend Stay (the “Motion to Extend,” Doc. 16) filed by claimant Blade Christian Frierson (“Claimant”), which requests that the stay in this civil forfeiture proceeding be extended pending the completion of a related criminal matter.

A court must stay a civil forfeiture proceeding upon the motion of the

claimant where: (1) the claimant is the subject of a related criminal case or investigation; (2) the claimant has standing to assert a claim in the civil forfeiture proceeding; and (3) the continuation of the forfeiture proceeding would burden the right of the claimant against self-incrimination in the related criminal case. 18 U.S.C. § 981(g)(2).

On April 7, 2020, the undersigned entered an Order staying this action for 90 days based on Claimant's description of numerous charges currently pending against him in the General Court of Justice for the County of Buncombe, North Carolina (the "State Criminal Matter"). See Doc. 6, ¶¶ 1(a)-(h), 2 & Doc. 7. The April 7, 2020 Order provided that after the expiration of the 90-day period, the stay would automatically dissolve unless the Government or Claimant showed by motion reasons why the stay should not be lifted. Doc. 7.

The stay was subsequently extended several times and is currently set to expire following July 5, 2021. Docs. 9, 11, 13, 15.

On July 1, 2021, Claimant filed the instant Motion to Extend. Doc. 16. The Motion states that the related the State Criminal Matter is still pending a probable cause determination and that the next court date for those matters is August 20, 2021. Doc. 16 at 2. Claimant also states that he has consulted with counsel for the Government, who does not oppose this motion. Id.

A continuation of the stay of the proceedings is warranted under these circumstances.

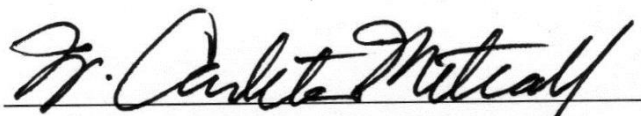
Further, considering the multiple extensions of the stay that have been required thus far, and in the interest of judicial economy, the stay will now be extended through the conclusion of the State Criminal Matter. Until then, Claimant will be required to file a report every ninety days advising of the status of the State Criminal Matter.

Accordingly, the Motion to Extend Stay (Doc. 16) is **GRANTED** as follows:

1. This matter is **STAYED** pending resolution of the State Criminal Matter.
2. Within ten (10) days of resolution of the State Criminal Matter, Claimant and/or the Government shall file an appropriate notice and motion, such as a motion to lift the stay.
3. Until the conclusion of the State Criminal Matter, Claimant shall file reports every ninety (90) days advising of the status of that case.

It is so ordered.

Signed: July 2, 202



W. Carleton Metcalf  
United States Magistrate Judge

